

KAREN A. CONNOLLY, LTD.

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5 *Attorney for Jan Rouven Fuechtener*

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 JAN ROUVEN FUECHTENER,

12 Defendant.

CASE NO.: 2:16-CR-100-GMN-CWH

**EMERGENCY REQUEST FOR
RELEASE OF FUNDS**

13 Defendant herein, JAN ROUVEN FUECHTENER, by and through his attorney of record,
14 KAREN A. CONNOLLY, of the law office of KAREN A. CONNOLLY, LTD., hereby submits this
15 Emergency request for release of funds pursuant to LCR 47-1.

16 This Motion is made and based upon the following Points and Authorities, all pleadings and
17 papers on file herein.

18 DATED this 20th day of July 2018.

19 **KAREN A. CONNOLLY, LTD.**

21 /s/ Karen A. Connolly
KAREN A. CONNOLLY
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Las Vegas, NV 89146
Telephone: (702) 678-6700
Attorney for Jan Rouven Fuechtener

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MEMORANDUM OF POINTS AND AUTHORITIES

This court is currently holding funds belonging to Defendant and his husband Frank Alfer in the approximate amount of \$975,300.¹ Defendant does not have access to any other funds. Without those funds, he is indigent. Fuechtener's motion to withdraw his guilty plea was denied by this court. The matter is set for sentencing on September 27, 2018. Fuechtener needs access to his funds in order for him to prepare for sentencing.

Without access to his funds held in trust for defense purposes, Fuechtener will be forced to request CJA funds to pay for his ongoing defense. Also, after sentencing, Fuechtener has a right to appeal. He has no additional funds to hire appellate counsel. Fuechtener requested that the Government stipulate to the release of funds for defense purposes. The request was denied.

At a hearing outside the presence of the Government, Fuechtener will detail to the court the funds he is requesting for his defense if required. Notwithstanding, he does not feel he should be required to, or, need court approval to use his money for his ongoing defense. Rather than disclosing the cost of his ongoing defense, he requests that the court order that sums requested for defense purposes be released to counsel.

In light of the fact that experts have been consulted but cannot be retained until his funds are released for defense purposes, or, alternatively, Fuechtener is declared indigent and CJA funds can be requested to cover ongoing defense costs, it is respectfully requested that this matter be heard as soon as possible so as not to delay sentencing.

DATED this 20th day of July, 2018.

KAREN A. CONNOLLY, LTD.

/s/ Karen A. Connolly

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¹ Pending before this court is Objection to Report and Recommendation (ECF 180) ECF 85, Frank Alfer's supplemental opposition ECF 188, Government's responses ECF 189 and 196. See also Order ECF 199

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of KAREN A. CONNOLLY, LTD., and on the 20th day of July, 2018, I served a true and correct copy of the above and foregoing ***Emergency Request for Release of Funds*** via the CM/ECF system upon the following:

☒ by depositing the same in the U.S. Mail, First Class Mail, with postage fully prepaid, at Las Vegas, Nevada, addressed as follows:

Cristina D. Silva, United States Attorney
Daniel D. Hollingsworth, United States Attorney
Elham Roohani, United States Attorney
Lisa Cartier-Giroux, United States Attorney
Mark E. Woolf, United States Attorney
Ivette A. Maningo, Attorney for Frank Alster (Interested Party)

/s/ Shaeley Pilayo
an Employee of KAREN A. CONNOLLY, LTD.

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